

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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ANGEL DIAZ,

Petitioner,

-against-

20 **CIVIL** 5469 (NSR)

JUDGMENT

WILLIAM F. KEYSER,

Respondent.

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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated June 27, 2022, MJ Davison's R&R is ADOPTED in its entirety, Petitioner's objections are OVERRULED, and the Petition is DISMISSED. Further, as Petitioner has not made a substantial showing of the denial of a constitutional right, the Court will not issue a certificate of appealability. See 28 U.S.C. § 2253(c)(2); *Love v. McCray*, 413 F3d 192, 195 (2d Cir. 2005); *Lozada v. United States*, 107 F3d 1011, 1017 (2d Cir. 1997), abrogated on other grounds by *United States v. Perez*, 129 F3d 225, 259-60 (2d Cir. 1997). The Court certifies pursuant to 18 U.S.C. § 1915(a)(3) that any appeal from the order would not be taken in good faith, and therefore in forma pauperis status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 US 438, 444-45 (1962).

Dated: New York, New York

June 28, 2022

RUBY J. KRAJICK

Clerk of Court

BY:

K. mango

Deputy Clerk